

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION
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In re:

Vital Pharmaceutical,

Debtor.

Case No. 23-01051-PDR
Chapter 11

Vital Pharmaceuticals, Inc., et al.,

Plaintiffs,
v.

Adv. No. 23-01051-PDR

John H. Owoc, et al.,

Defendants.

NOTICE OF APPEAL

Part 1: Identify the appellant(s)

1. Name of appellant(s): **JOHN H. OWOC and MEGAN E. OWOC**
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

G Plaintiff

☒ Defendant

G Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

G Debtor

G Creditor

G Trustee

G Other (describe) _____

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed **ORDER DENYING EMERGENCY MOTION FOR RELIEF FROM UNAUTHORIZED STIPULATION AND EXTENDING TEMPORARY RESTRAINING ORDER, DE 81.**
2. State the date on which the judgment, order, or decree was entered: **May 11, 2023**

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: **Plaintiffs (i) Vital Pharmaceuticals, Inc.; (ii) Bang Energy Canada, Inc.; (iii) JHO Intellectual Property Holdings, LLC; (iv) JHO Real Estate Investment, LLC; (v) Quash Seltzer, LLC; (vi) Rainbow Unicorn Bev LLC; and (vii) Vital Pharmaceuticals International Sales, Inc.**

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2. Party: **DEFENDANTS JOHN H. OWOC; MEGAN E. OWOC**

Attorneys: **Bradley Shraiberg**
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Part 4: Not Applicable

Part 5: Sign Below

ATTORNEY CERTIFICATION

I HEREBY CERTIFY that I am admitted to the Bar of the United States District Court for the Southern District of Florida, and I am in compliance with the additional qualifications to practice in this Court set forth in Local Rule 2090-1(A).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Notice of Electronic Filing via CM/ECF to those parties registered to receive such notice in this case on May 25, 2023.

s/Bradley Shraiberg
Signature of attorney for appellants
Bradley Shraiberg
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Boca Raton, Florida 33431
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Email: bss@slp.law
Counsel for the Owocs

Date: **May 25, 2023**



ORDERED in the Southern District of Florida on May 10, 2023.

Peter D. Russin

Peter D. Russin, Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION
www.flsb.uscourts.gov

In re: Chapter 11 Cases
VITAL PHARMACEUTICALS, INC., *et al.*, Case No. 22-17842 (PDR)
Debtors.¹ (Jointly Administered)

VITAL PHARMACEUTICALS, INC., *et al.*
Plaintiffs,
Adv. Pro. No. 23-01051 (PDR)
v.
JOHN H. OWOC and MEGAN E. OWOC,
Defendants.

¹ The Debtors include (i) Vital Pharmaceuticals, Inc.; (ii) Bang Energy Canada, Inc.; (iii) JHO Intellectual Property Holdings, LLC; (iv) JHO Real Estate Investment, LLC; (v) Quash Seltzer, LLC; (vi) Rainbow Unicorn Bev LLC; and (vii) Vital Pharmaceuticals International Sales, Inc. The address of the Debtors is 1600 N. Park Drive, Weston, FL 33326. The last four digits of the Debtors' federal tax identification numbers are: (i) Vital Pharmaceuticals, Inc. (8430); (ii) Bang Energy Canada, Inc. (5454); (iii) JHO Intellectual Property Holdings, LLC (0010); (iv) JHO Real Estate Investment, LLC (9394); (v) Quash Seltzer, LLC (6501); (vi) Rainbow Unicorn Bev LLC (2254); and (vii) Vital Pharmaceuticals International Sales, Inc. (8019).

**ORDER DENYING EMERGENCY MOTION FOR RELIEF FROM UNAUTHORIZED
STIPULATION AND EXTENDING TEMPORARY RESTRAINING ORDER**

THIS MATTER came before the Court on May 1, 2023, at 2:00 p.m. in Fort Lauderdale, Florida, upon the status conference in the above-captioned adversary proceeding. The Court, having considered the Court file, having considered Plaintiffs’ request to extend the temporary restraining order against Defendants, John H. Owoc and Megan E. Owoc (collectively, “Defendants”), and being duly advised in the premises and for the reasons stated on the record, it is

ORDERED that:

1. *Owocs’ Emergency Motion for Relief from Unauthorized Stipulation TRO [ECF Nos 9 and 10]* [ECF No. 55] is denied for the reasons stated on the record.
2. The temporary restraining order (“TRO”) entered pursuant to the Court’s *Order Approving Stipulation Regarding Debtors’ Motion for Temporary Restraining Order* [ECF No. 10] dated March 16, 2023, is extended for a period of twenty-eight (28) days, through May 29, 2023, and in addition to the conditions imposed in the TRO, Plaintiffs are prohibited from posting content to the CEO Accounts² for twenty-eight (28) days, through May 29, 2023.
3. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

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² The CEO Accounts are defined, collectively, as the (i) Instagram and TikTok accounts bearing the handle “@bangenergy.ceo,” (ii) Twitter account bearing the handle “@BangEnergyCEO.”

Submitted by:

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(Attorney Gusó is directed to serve this order upon all non-registered users who have yet to appear electronically in this case and file a conforming certificate of service.)